

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES FIDELITY AND
GUARANTY COMPANY, *et al.*,

No. C-03-5376 SBA (EMC)

Plaintiffs,

v.

THE SCOTT COMPANIES, INC., *et al.*,

Defendants.

**ORDER GRANTING DEFENDANTS'
MOTION FOR CONTINUANCE AND
EXTENSION OF TIME TO RESPOND
TO PLAINTIFFS' MOTIONS FOR
INJUNCTIVE RELIEF AND
JUDGMENT**

(Docket No. 235)

Defendants have filed a motion for a continuance and extension of time to respond to Plaintiffs' motions for injunctive relief and judgment. As Plaintiffs point out, it appears Defendants believe that both a motion for injunctive relief and a motion for judgment are set for November 8, 2006. However, in its previous order, the Court only set a hearing on Plaintiffs' request for a preliminary injunction.

In their papers, Plaintiffs state that they have no objection to a continuance and extension of time if both motions are at issue and so long as the TRO to which the parties had previously stipulated remains in place. Defendants did not object to this proposal in their reply brief. Accordingly, the Court hereby **GRANTS** Defendants' motion upon the following terms.

First, both Plaintiffs' motion for a preliminary injunction and motion for judgment shall be heard on December 6, 2006, at 10:30 a.m. Defendants' opposition shall be filed by November 15, 2006, and Plaintiffs' reply by November 22, 2006. Courtesy copies shall be provided to chambers by 4:00 p.m. on those dates.

1 Second, the TRO to which the parties had previously stipulated shall remain in place until
2 the date of the hearing on the motions.

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4 IT IS SO ORDERED.

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6 Dated: October 25, 2006



EDWARD M. CHEN
United States Magistrate Judge